

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KINGSLEY OGBOGU,	§	
Plaintiffs,	§	
vs.	§	Civil Action No. 3:18-CV-1912-K
	§	
ACTING SECRETARY OF	§	
LABOR, DEPARTMENT OF	§	
LABOR,	§	
Defendant.	§	

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Defendants' Motion to Dismiss and Brief in Support, filed December 10, 2018 (doc. 20) is **GRANTED**, and the Acting Secretary of Labor is substituted as the defendant in this action for the plaintiff's employment discrimination and retaliation claims. By separate judgment, the plaintiff's breach of contract claim and his retaliation claims related to job postings in 2015 will be **DISMISSED without prejudice**, and his

remaining claims will be **DISMISSED with prejudice** for failure to state a claim upon which relief may be granted.

SO ORDERED.

Signed September 11th, 2019.

A handwritten signature in black ink, reading "Ed Kinkeade". The signature is written in a cursive style with a large, stylized "E" and "K".

ED KINKEADE
UNITED STATES DISTRICT JUDGE